

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.19655 OF 2005

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Dt: 12.09.2005

Between:

Smt. G. Sujatha

.. Petitioner

AND

The A.P. State Road Transport Corporation,

Rep., by its Managing Director,

Musheerabad, Hyderabad & another.

.. Respondents

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ORDER:

The petitioner is being engaged as a conductor on daily wage basis. On 30.07.2005, she was conducting a service from Raikal. It was checked by the officials of the APSRTC. It was found that one passenger, who paid the fare of Rs.3/- and was issued ticket for that amount, has traveled beyond the stages for which he paid the

fare. On that ground, the petitioner was put off from duty through proceedings, dated 20.08.2005. The same is challenged in this writ petition.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

The only allegation against the petitioner is that she did not notice the overriding of a passenger, beyond Stage No.7. The passenger was issued ticket for stage Nos.5 to 7, whereas, he was found to have travelled up to stage No.9. It was not even alleged that the petitioner had collected fare from that passenger over and above Rs.3/-. It is no doubt, a dereliction on the part of the petitioner for not noticing the overriding of the passenger. However, it cannot be treated as such a serious matter, as to deprive the petitioner of her livelihood. The very fact that the petitioner, a woman, had to work as a conductor on daily wages, discloses her plight. The disciplinary action taken by the respondents is required to be proportionate to the dereliction on the part of the employees. Viewed from that angle, it is difficult to sustain the impugned action. At any rate, the disciplinary proceedings against the petitioner are already in progress.

For the foregoing reasons, the writ petition is allowed, and the impugned order is set aside leaving it open to the petitioner to proceed with the disciplinary enquiry against her. No order as to costs.

12.09.2005

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